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23117 7590 11/17/2008
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| EXAMINER |
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BEACH, THOMAS A

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| ART UNIT | PAPER NUMBER |
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3671

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11/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/565,436 | Applicant(s) SKOGERBO, PAL | |
| | Examiner THOMAS A. BEACH | Art Unit 3671 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/17/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamb 7,034,669. Lamb shows a system/method for controlling the movements of objects in an automated or remote operated system comprising independent transporting means 5 for moving a number of objects 7 relative to each other, the system being providing with means for controlling the position and velocity of the objects relative to each other, wherein each object is related to a defined geometric shape 13/15 related to the object positions having dimensions corresponding to or exceeding the physical dimensions of the object in all directions, corresponding to or exceeding the physical dimensions of the respective object in all directions, each transporting means 5 is related to a stop distance (col. 4, lines 60+ & col. 5, lines 1-4) needed for the respective transporting means to come to a complete stop, and a critical allowed distance is defined between the defined geometric shapes, whereby collisions between objects can be avoided by changing at least one of a speed or direction of movement of at least one of said

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transporting means when a distance between defined geometric shapes moving on a common axis corresponds to said critical allowed distance (figures 1, 3, 5).

As concerns claim 2, Lamb shows the dimensions of the geometric shape 13/15 corresponds to the size of the object (fig 5).

As concerns claim 3, Lamb shows critical distance is dependent on the relative movement between the objects (col. 4, lines 60+ & col. 5, lines 1-4).

As concerns claim 4, Lamb shows the critical distance between two geometric shapes moving toward each other corresponds to the braking distance for each corresponding object plus a chosen additional distance (col. 4, lines 60+ & col. 5, lines 1-4 & figures 1, 3, 5).

As concerns claim 5, Lamb shows the objects and corresponding geometric shapes are adapted to be rotatable (figure 5).

As concerns claim 6, Lamb shows the geometric shape is rectangular (figure 5).

As concerns claim 7, Lamb shows the method for avoiding collisions between automatically controlled or remote operated objects having variable positions and movements relative to each other said positions and movements being controlled by a control system, comprising assigning a geometric shape to each object, said geometric shape corresponding to or exceeding the dimensions of the corresponding object, the geometric shape thus occupying a space corresponding to or exceeding the space occupied by the object, and defining a critical minimum distance between said geometrical shapes (col. 4, lines 60+ & col. 5, lines 1-4).

As concerns claim 8, Lamb shows the dimensions of the geometric shape corresponds to the size of the object (col. 4, lines 60+ & col. 5, lines 1-4).

As concerns claim 9, Lamb shows critical distance is dependent on the relative movement between the objects (col. 4, lines 60+ & col. 5, lines 1-4).

As concerns claim 10, Lamb shows the critical distance between two geometric shapes moving toward each other corresponds to the braking distance for each corresponding object plus a chosen additional distance (figures 1, 3, 5 & col. 4, lines 60+ & col. 5, lines 1-4).

As concerns claim 11, Lamb shows the objects and corresponding geometric shapes are adapted to be rotatable (figures 1, 3, 5).

As concerns claim 12, Lamb shows the geometric shape is rectangular (figure 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamb 7,034,669 in view of Krueger 4,621,974. Lamb does not show an on offshore installations for handling pipes in drilling operations or on a drill rig, wherein said objects corresponds to means for storing, moving and/or installing equipment in the installations. However, Kreuger shows a similar offshore installations (col 2, lines 47+),

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especially for handling pipes in drilling operations or on a drill rig (fig 2-1), wherein said objects corresponds to means for storing, moving and/or installing equipment in the installations with means to control racking that prevent collisions (fig 1, 8, 19 & 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lamb, as taught by Krueger, to include the control system on an offshore rig for the expected result of improved accuracy and safety.

Response to Arguments

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. The newly added step/system of a stop distance is shown in Lamb in the rejection above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Thomas A. Beach

/Thomas A Beach/

Primary Examiner, Art Unit 3671

November 17, 2008

THOMAS A. BEACH
Primary Examiner
Group 3600